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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

SHAYLON STOLK,

Plaintiffs,

v.

BANK OF AMERICA, N.A., EQUIFAX
INFORMATION SERVICES, LLC,
EXPERIAN INFORMATION
SOLUTIONS, INC., and TRANS UNION
LLC,

Defendants.

NO. 3:25-cv-05128-JHC

STIPULATED MOTION FOR
RELIEF FROM DEADLINE

NOTE ON MOTION CALENDAR:
May 30, 2025

I. STIPULATED MOTION FOR RELIEF FROM DEADLINE

Plaintiff SHAYLON STOLK (“Plaintiff”) and Defendants, BANK OF AMERICA, N.A. (“BANA”); EQUIFAX INFORMATION SERVICES, LLC (Equifax); and TRANS UNION LLC (“Trans Union”) respectfully request the following modification of the briefing deadlines as to BANA’s Motion to Dismiss (Dkt. 28; Dkt. 29):

- Plaintiff shall file any response to BANA’s Motion to Dismiss (Dkt. 28; Dkt. 29) on or before June 6, 2025;
- Any reply by BANA shall be filed on or before June 13, 2025.

II. AUTHORITY AND ARGUMENT

Fed. R. Civ. P. 6(b) sets forth the requirements for obtaining an extension of time in a civil matter. *See, e.g., Pioneer Inv. Servs. Co. v. Brunswick Assocs. Ltd P'ship*, 507 U.S. 380, 389 n.4 (1993). Rule 6(b) gives the district court the discretion to extend any specified deadline for “good cause” shown. Fed. R. Civ. P. 6(b)(1). The decision whether to provide such an extension of time rests within the discretion of the district court. Fed. R. Civ. P. 6(b)(1). Rule 6(b)(1)(A) “gives the court wide discretion to grant a request for additional time that is made prior to the expiration of the period originally prescribed or prior to the expiration of the period as extended by a previous order.” Wright & Miller, § 1165 Extending Time—In General, 4B Fed. Prac. & Proc. Civ. (4th ed.). Absent bad faith by the movant or prejudice to the adverse party, “an application for extension of time under Rule 6(b)(1)(A) normally will be granted.” *Id.*; *see also Rachel v. Troutt*, 820 F.3d 390, 394 (10th Cir. 2016) (“A leading treatise similarly suggests that district courts should normally grant extension requests, made before the deadline, in the absence of bad faith by the requesting party or prejudice to another party.”) (quoting Wright & Miller); *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1258–59 (9th Cir. 2010).

Here, good cause exists to briefly extend the deadlines associated with BANA’s Motion to Dismiss (Dkt. 28; Dkt. 29) because Plaintiff recently provided a proposed Amended Complaint to Defendants’ respective counsel and requested that they confirm whether Defendants will consent to a Motion for Leave to File an Amended Complaint under Rule 15(a)(2). Plaintiff awaits a response to this request.

If Defendants’ consent to Plaintiff’s forthcoming Motion for Leave to File an Amended Complaint, then the Amended Complaint will be filed, mooted BANA’s Motion to Dismiss (Dkt. 28; Dkt. 29). Plaintiff seeks a brief extension to respond to the BANA’s Motion to Dismiss (Dkt. 28; Dkt. 29) to determine whether it will be mooted by the filing of an Amended Complaint with consent of Defendants.

There is no prejudice to Defendants for the requested extension, as evidenced by their consent. If one or more Defendants declines to consent to the filing of an Amended Complaint, Plaintiff will file her Motion for Leave to File an Amended Complaint as a contested motion, and, if the Court grants the motion, then BANA's Motion to Dismiss (Dkt. 28; Dkt. 29) will be mooted. If the filing of an Amended Complaint is contested, Plaintiff will file her opposition to BANA's Motion to Dismiss (Dkt. 28; Dkt. 29) and her contested Motion for Leave to File an Amended Complaint on or before June 6, 2025.

The requested extension will not impact any other deadlines in the case or cause undue delay.

The undersigned counsel certify that the foregoing contains 573 words in compliance with the Local Civil Rules.

IT IS SO STIPULATED this 30th day of May, 2025 at Tacoma, Washington by

S//SaraEllen Hutchison

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Attorneys for Defendant Trans Union LLC

ORDER

IT IS SO ORDERED.

The Court DIRECTS the Clerk to re-note the motion at Dkt. # 28 for June 13, 2025.

Dated this 30th day of May, 2025.



JOHN H. CHUN

United States District Judge